

1 AN ACT concerning minors.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Emancipation of Mature Minors Act is  
5 amended by changing Sections 2, 7, 9 and adding Section 11.1  
6 as follows:

7 (750 ILCS 30/2) (from Ch. 40, par. 2202)

8 Sec. 2. Purpose and policy. The purpose of this Act is  
9 to provide a means by which a mature minor who has  
10 demonstrated the ability and capacity to manage his own  
11 affairs and to live wholly or partially independent of his  
12 parents or guardian, may obtain the legal status of an  
13 emancipated person with power to enter into valid legal  
14 contracts. This Act is not intended to interfere with the  
15 integrity of the family or the rights of parents and their  
16 children. Except as otherwise provided in Section 11.1, no  
17 order of complete or partial emancipation may be entered  
18 under this Act if there is any objection by the minor, his  
19 parents or guardian. This Act does not limit or exclude any  
20 other means either in statute or case law by which a minor  
21 may become emancipated.

22 This Act also has the purpose of authorizing the  
23 emancipation of certain minors as set forth in Section 11.1.

24 (Source: P.A. 81-833.)

25 (750 ILCS 30/7) (from Ch. 40, par. 2207)

26 Sec. 7. Petition. Except as otherwise provided in  
27 Section 11.1, the petition for emancipation shall be verified  
28 and shall set forth: (1) the age of the minor; (2) that the  
29 minor is a resident of Illinois at the time of the filing of  
30 the petition, or owns real estate in Illinois, or has an

1 interest or is a party in any case pending in Illinois; (3)  
2 the cause for which the minor seeks to obtain partial or  
3 complete emancipation; (4) the names of the minor's parents,  
4 and the address, if living; (5) the names and addresses of  
5 any guardians or custodians appointed for the minor; (6) that  
6 the minor is a mature minor who has demonstrated the ability  
7 and capacity to manage his own affairs; and (7) that the  
8 minor has lived wholly or partially independent of his  
9 parents or guardian.

10 (Source: P.A. 81-833.)

11 (750 ILCS 30/9) (from Ch. 40, par. 2209)

12 Sec. 9. Hearing. Before proceeding to a hearing on the  
13 petition the court shall advise all persons present of the  
14 nature of the proceedings, and their rights and  
15 responsibilities if an order of emancipation should be  
16 entered.

17 Except as otherwise provided in Section 11.1, if, after  
18 the hearing, the court determines that the minor is a mature  
19 minor who is of sound mind and has the capacity and maturity  
20 to manage his own affairs including his finances, and that  
21 the best interests of the minor and his family will be  
22 promoted by declaring the minor an emancipated minor, the  
23 court shall enter a finding that the minor is an emancipated  
24 minor within the meaning of this Act, or that the mature  
25 minor is partially emancipated with such limitations as the  
26 court by order deems appropriate. No order of complete or  
27 partial emancipation may be entered under this Act if there  
28 is any objection by the minor (except as otherwise provided  
29 in Section 11.1), his parents or guardian.

30 (Source: P.A. 81-833.)

31 (750 ILCS 30/11.1 new)

32 Sec. 11.1. Emancipation without minor's consent.

1       (a) Notwithstanding any other provision of this Act, an  
2 order of complete or partial emancipation may be entered  
3 under this Act without the minor's consent if:

4           (i) the minor has at least 2 separate  
5 adjudications of delinquency under the Juvenile Court Act  
6 of 1987 for acts that would have each been either a Class  
7 A misdemeanor or a felony if committed by an adult;

8           (ii) the minor has at least 2 separate convictions  
9 for criminal offenses that were each either a Class A  
10 misdemeanor or a felony; or

11           (iii) the minor has at least one adjudication  
12 described in subdivision (i) and at least one conviction  
13 described in subdivision (ii).

14       (b) A petition filed regarding a minor described in  
15 subsection (a) is not required to contain the elements  
16 described in subdivision (6) and (7) of Section 7.

17       (c) A court may enter an order that a minor described in  
18 subsection (a) is completely or partially emancipated if the  
19 court finds that complete or partial emancipation is in the  
20 best interests of the minor. The court is not required to  
21 make the determinations set forth in Section 9.

22       (d) A minor described in subsection (a) who is ordered  
23 completely or partially emancipated under this Act shall have  
24 only those rights and responsibilities specified in the order  
25 of the court, which may include any of the rights and  
26 responsibilities set forth in Section 5.